

d.) Remarks:

Reconsideration of this application as amended is respectfully requested.

The originally presented claims have been replaced by claims 21-40 which have been drafted in such manner as to distinguish applicant's invention more clearly over the disclosures of Spilker and all the other references of record. Considering claim 21, for example, applicant's construction is recited as comprising a body member having a base flanked by a pair of substantially coplanar flanges. The only parts of Spilker which possibly could correspond to this recitation are the bracket 22 and the bar 11. Although the bracket 22 has two flanges flanking a center section, the two flanges are by no means coplanar. The same observation applies to the parts 10 and 11 of the support structure.

Claim 21 also recites an extension unitarily joined to and projecting beyond one of the flanges. The only parts of Spilker which could correspond to this recitation are the members 18, 19 and the left-hand end of the member 10 and the member 32 at the right-hand end of the member 11.

Claim 21 further requires each of the two flanges to have at least one slot therein, a characteristic completely foreign to the disclosure of Spilker.

Finally, claim 21 recites clamping means removably accommodated in the slots of the flanges for removably clamping the rest to a support. Since Spilker has neither the coplanar flanges, the slots, or the

clamping means removably accommodated in the slots, it is respectfully submitted that Spilker does not, and cannot, anticipate claim 21.

It also is respectfully submitted that the construction recited in claim 21 is not obvious in view of the Spilker disclosure. This is because there is nothing in Spilker, or any other reference of record, which even remotely suggests the coplanar flanges flanking the body member, the slots in the flanges, and the clamping means removably accommodated in such slots.

Although the body member 21 of Spilker is said by the examiner to have a concave base 10, 11, the member 21 is simply an anti-friction bearing. See column 2, lines 7 and 8.

Claim 23 depends on claim 22 and, accordingly, includes the substance of claim 22. Claim 23, therefore, distinguishes over Spilker for the same reasons given in support of claim 22.

Claim 24 depends on claim 21 and distinguishes over the latter by specifying that the clamping means comprises at least one flexible member of such length as to encircle the support and the base. It does not appear to applicant that there is anything disclosed in Spilker which corresponds to or suggests such flexible member. In commenting on claim 4, on which claim 24 is based, the examiner refers to the member 47 of Spilker as comprising a flexible tie member adapted to encircle the support and the body member. However, this is not believed to be correct. The member 47 of Spilker is a rod 47 mounted for free swinging movement and, together with the shank of the stake 43, forms a tripod when the rod

support is embedded in the ground. See column 2, lines 52-61. If the members 47 are to form a tripod, they cannot be flexible.

Claim 25 depends on claim 21 and specifies that the clamping means comprises a pair of clamp members coupled to the body member and extending therefrom in substantially parallel, spaced apart condition, the spaces between the clamp members being sufficient to accommodate the support between such clamp members. As has been stated before, Spilker fails to disclose the slots and the flanges by means of which the clamp members are coupled to the body member. Accordingly, it is respectfully submitted that claim 25 is neither anticipated by nor obvious in view of Spilker.

Claim 26 depends on claim 25 and distinguishes over the latter by reciting adjusting means reacting between the pair of clamp members for adjusting the space therebetween. Again, since claim 26 depends on claim 25, claim 26 distinguishes over the references for the same reasons given in support of claim 25.

Claim 27 also depends on claim 25 and recites an arm, connecting means connecting the arm at one end thereof to one of the clamp members, and means at the opposite end of the arm supporting one end of the elongate article. Claim 27 is based on original claim 8. The examiner commented that Spilker discloses an arm 10, connecting means 16 connecting the arm to one end of the clamp members 21a, and means at the opposite end of the arm 18, 19 for supporting one end of the elongate article. However, since claim 27 depends on claim 25, claim 27 also recites the

clamping members as being coupled to the body member via the slots, a characteristic which is neither disclosed nor suggested by Spilker.

Claim 28 depends on claim 27 and distinguishes over the latter by requiring the connecting means to include the adjusting means. This is a significant distinction over Spilker because in applicant's construction the adjusting means 31 not only provides the means for adjusting the space between the clamp members 21 and 24, but also serves to attach the arm 37 to one of the clamp members. Nothing in Spilker is suggestive of this dual function performed by these parts of applicant's construction.

Claim 29 also depends on claim 27 and distinguishes over the latter by reciting the arm as being composed of multiple, relatively extensible and retractable sections, and latch means reacting between such sections for releasably latching them in any selected one of a number of adjusted positions. The examiner has referred to sections 10, 16, and 18 of Spilker and the screws 12 as constituting releasable latch means. However, the orientation of these parts of Spilker's construction is not anything like that disclosed and claimed by applicant. It is respectfully submitted, therefore, that the only way in which Spilker's disclosure can be read in such manner as to even approach applicant's construction, particularly bearing in mind that claim 29 depends on claim 27, claim 25, and claim 21, is to attribute significance to the Spilker element which can be obtained only by reference to applicant's own disclosure and giving tortuous meanings to some of the terms like latch means and releasable latching sections.

Claim 30 depends on claim 29 and adds to the latter the latch

means as comprising a plurality of openings in one of the sections and a projection carried by an adjacent one of the sections for moving into and out of any selected one of the openings. It appears to applicant that there is no thought expressed in Spilker of adjustability among these parts. On the contrary, the plate 12 is part of a hinge which is "affixed" to the inner end of the bar 11. The mating plate 16 of the hinge is "affixed" to the inner end of the bar 10. The plate 16 is referred to as having end portions 17a enlarged laterally for telescopic engagement with the protruding end of the sections 13 of the side walls of the plate 12. See the paragraph bridging columns 1 and 2. However, this telescopic movement is transversely of the bar 10, rather than longitudinally thereof, and is simply for the purpose of providing a fixed connection between the hinge and the bar. This construction is neither illustrative nor suggestive of sections which are longitudinally adjustable relative to one another.

Claim 30 depends on claim 29 and specifies the construction of the latch means in more detail.

Claim 31 is an independent claim and recites the rest for an elongate fishing rod as comprising a pair of confronting clamp members spaced apart a distance to accommodate a support therebetween and a body member bridging and coupled to corresponding ends of the clamp members. The claim also recites a first extension unitarily joined to and extending from the body member and having a notch therein for the movable accommodation of an intermediate portion of the rod. The coupling of the body member to the clamp members also provides for rocking of the clamp

members toward and away from one another to vary the space between the clamp members. This multiple function of the body member in supporting the extension and rockably coupling the clamp members simply is not present in Spilker.

Claim 32 depends on claim 31 and recites the second extension and connecting means connecting it to one of the clamp members. Nothing in Spilker suggests any means for connecting an extension to one of the clamp members.

Claim 33 depends on claim 32 and requires the body member to have openings therein and the coupling means to comprise projections carried by the clamp members and rockably accommodated in the openings of the body. These structural characteristics have no counterparts in Spilker.

Claim 34 also depends on claim 32 and recites the second extension as having relatively adjustable sections and latch means for releasably maintaining such sections in any selected one of a number of adjusted positions. Again, nothing in Spilker corresponds to these recitations.

Claim 35 also depends on claim 32 and specifies that the rod accommodating means comprises a socket.

Claim 36 depends on claim 32 and specifies that the connecting means and the adjusting means are the same. Nothing in Spilker even remotely suggests clamp adjusting means and means for connecting an extension to a clamp as being the same.

Claim 37 is an independent claim and recites the body member as having a base flanked by a pair of substantially coplanar flanges each of which has a least one slot therein, and a pair of substantially parallel clamp members spaced from one another a distance to accommodate therebetween at least a portion of a part of a boat. The claimed body member has no counterpart in Spilker. The claim continues and specifies that coupling means is carried by each of the clamp members and extends through the slots for rockably coupling the clamp members to the body member. Again, nothing in Spilker corresponds to these recitations. Claim 37 also recites the adjusting means spanning the clamp member for adjusting the space between the clamp members.

Claim 38 depends on claim 37 and recites the second extension and second coupling means coupling the second extension to one of the clamp members. Nothing in Spilker corresponds to these recitations.

Claim 39 depends on claim 38 and requires the second extension to have a plurality of relatively adjustable sections and releasable latch means for releasably maintaining such sections in a selected one of a number of adjusted positions. Nothing in Spilker corresponds to these recitations.

Claim 40 depends on claim 38 and requires the adjusting means and the second coupling means to be the same. Nothing in Spilker is illustrative or suggestive of this construction.

Applicant respectfully requests a two month's extension of time in which to respond to the outstanding Office Action. Our check in the

amount of \$205 is attached hereto in payment of the extension of time fee.

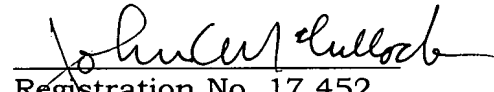
It is believed this application now is in condition for allowance.

Such action is requested.

The Office is authorized to charge or refund any fee deficiency or excess to Deposit Account No. 50-2676.

Respectfully submitted,

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By his attorney,


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